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12 Attorneys for Defendant

FILED  
BILLINGS DIV.

2005 DEC 13 PM 3 48

PATRICK E. DEFTY, CLERK

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Receipt No 41607

13  
14 **IN THE UNITED STATES DISTRICT COURT**

15  
16 **FOR THE DISTRICT OF MONTANA**

17  
18 **BILLINGS DIVISION**  
19 \_\_\_\_\_

20  
21 UNITED STATES OF AMERICA, )

22 )  
23 Plaintiff, )

24 )  
25 vs. )

26 )  
27 )  
28 )  
29 CLIFFORD BIRD IN GROUND, )

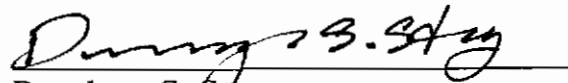
30 )  
31 Defendant. )  
32 \_\_\_\_\_

CR 02-49-BLG-RFC

NOTICE OF APPEAL

1 COMES NOW, Defendant, Clifford Bird In Ground, by and through his  
2 attorney, Penelope S. Strong, and pursuant to Federal Rule of Appellate Procedure  
3 4 (b), does hereby provide notice of his intent to appeal from the Order of the  
4 Court denying a re-sentencing hearing entered in this matter on December 1, 2006,  
5  
6 by the Honorable Richard F. Cebull.  
7

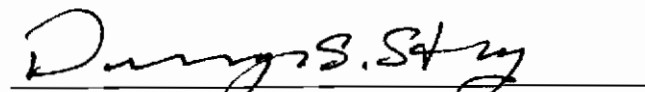
8  
9 Dated this 13~~th~~ day of December, 2006.  
10

11  
12   
13 Penelope S. Strong  
14  
15

16  
17 CERTIFICATE OF SERVICE

18 This is to certify that a true and correct copy of the foregoing was served by  
19 U.S. Mail upon all counsel of record on this 13~~th~~ day of December, 2006:  
20

21 Carl Rostad  
22 Assistant U. S. Attorney  
23 PO Box 1478  
24 Billings, MT 59103  
25

26   
27 Penelope S. Strong  
28  
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31  
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